

GROUND ZERO

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 5, 2001

Ms. NORTON. Mr. Speaker, I commend to the attention of members an article from *Washingtonian Magazine*, December 2001, entitled "Ground Zero." Harry Jaffe deserves credit for his early focus on the burial of munitions and toxic chemicals in the District of Columbia's Spring Valley community and on the government's non-disclosure of information to the D.C. government and its residents.

As a result of Mr. Jaffe's work, other media reports and our own investigation, the D.C. Subcommittee held hearings on July 27, and asked the General Accounting Office to conduct a full-scale investigation of the Spring Valley site as well as others in the city, where munitions or chemicals might have been discarded.

[From the *Washingtonian Magazine*, Dec. 2001]

GROUND ZERO

(By Harry Jaffe)

Rick Feeney was cutting the grass one day in 1992 when he heard his black retriever, Kerry, yelping and whining in the construction site next to his home on Glenbrook Road in DC's Spring Valley. He looked over to see the dog in the freshly dug earth, shaking her head, liquid coming from her eyes and mouth. When Feeney went to help, his own eyes started to water, the skin on his arms started to sting, and a bitter taste filled his mouth.

"Feels a lot like I've been gassed," Feeney thought, recalling his training in the Navy, when he had walked through clouds of tear gas. He went home and hosed off himself and his dog. But every time he mowed his lawn, his eyes watered and his nose ran. Finally the hole was covered over and the house completed—now the home of American University president Benjamin Ladner.

A few months later, on January 5, 1993, construction workers digging trenches for new houses in Spring Valley a half mile northwest of Feeney's home unearthed what looked like rusted bombs. In a matter of hours, Army bomb-removal units arrived by helicopter from Aberdeen Proving Ground in Maryland. With gas masks on their hips, they determined that the canisters were World War I-era chemical mortar rounds and 75-millimeter shells. Some were live and might contain mustard gas, a lethal chemical that caused blindness, skin blisters, and internal and external bleeding in 400,000 World War I soldiers.

Nan Whalen, who lives near the trench, was at home when an acquaintance phoned. "My God, Nan, what's going on in your neighborhood?" asked the caller from her car. She had been invited to a dinner party at Vice President Dan Quayle's home on the Naval Observatory grounds and had just heard that it might be canceled. The Army was worried that a live shell might detonate and send a gas cloud drifting over the vice president's house.

The first night the Army held a meeting for the community at a church on Westmoreland Circle. Officers told worried residents that the bombs had been left by soldiers who had used the area to produce and test chemical weapons in 1918. They assured residents that everything would be taken care of.

Rick Feeney stopped an Army officer on the way out and told him about his reaction

to the fumes from the property on Glenbrook Road.

"I assumed it was tear gas," he told the officer, "or something that made you feel that you had been gassed." The officer turned to an aide. "Make sure we take a look at this," he said. The Army never contacted Feeney, a writer and event manager who works at home. If it checked out his story, he never knew about it.

Through the rest of 1993 and into 1994, the Army recovered 141 munitions, including 42 poison-gas shells. In stages, officials evacuated 72 homes in the zone around the bomb pit while soldiers searched for buried munitions; in 1994, 130 families were asked to move out, mostly during weekdays, while bomb specialists searched for more ordnance.

In 1995 the Army Corps of Engineers issued a report describing its explorations and excavations. In sum, it said it had completed its work; Spring Valley was safe. The situation there required "no further action."

Five years later, that seems far from true. Scientist and engineers have determined that the Army missed a number of pits containing buried munitions and toxic chemicals. The search for bomb pits and contaminated soil and water is under way once again. Prodded by DC environmental scientists, the Army Corps of Engineers launched a fresh operation to find and remove hazardous materials from the area. So far it has unearthed twice as many munitions as were found in 1993. Evidence of more toxic chemicals is mounting.

Documents reviewed under the freedom of Information Act and interviews with investigators and scientists reveal that:

—The Army plans to evacuate two buildings at American University and five houses early next year while it excavates what is believed to be a disposal site for laboratories that produced lethal munitions.

—The Army has found high levels of arsenic in a part of Spring Valley once called "Arsenic Valley" because of its proximity to a lab that used arsenic in making chemical munitions. Rick Feeney's home lies in its center. Within its borders are a childcare center on AU campus and multimillion-dollar mansions on Indian Lane. The federal government lists arsenic, a poisonous heavy metal, as the most hazardous on its toxic-substance list. Health officials have warned people in Spring Valley against eating food grown in their gardens.

—Theodore J. Gordon, chief operating officer for DC's Department of Health, has asked the Corps to ensure that the groundwater in Spring Valley is clear of toxic chemicals, especially arsenic. Some of Spring Valley's groundwater drains towards Dalecarlia Reservoir, which supplies water to DC. Is there arsenic on the bottom of the reservoir? "That's a possibility", Gordon says.

—Two people who lived in houses built over a 1918 training trench used to test chemical weapons contracted aplastic anemia, a blood disorder that occurs when the bone marrow stops making enough healthy blood cells. The cause of the disease is unknown, but environmental toxins are suspected.

—According to internal documents and interviews with investigators, five federal agencies, led by the EPA and including the FBI, are investigating whether "criminal false statements" contributed to the Corps' determination in 1995 that "no further action" was necessary.

While Spring Valley residents learned in 1993 that their neighborhood was built on top of a chemical-weapons proving ground, documents show that American University and the Army knew at least in 1986 that there were "possible burial sites," according to documents filed in lawsuits and reports ob-

tained through FOIA. American University knew as early as 1921, when a campus publication referred to buried weapons on campus.

Lawsuits have been filed in the case. Former district judge Stanley Sporkin ruled in 1997 that the Army had a "duty to warn" people about the buried bombs: "The Army in this case created the hazard and literally 'covered it up.'" Sporkin wrote in ruling on a lawsuit filed against the Army by a developer in 1996. The Spring Valley investigation is more than a story about buried munitions; it's also about buried intentions and hidden agendas. At critical junctures a community's health and welfare appear to have been sacrificed for bureaucratic infighting and concerns about public image. And the people of Spring Valley have been in conflict over whether to protect their property values or to actively investigate potential risks. There is now no hard evidence of cancer clusters in Spring Valley, but there's no question that the health risks deserved scientific scrutiny years ago. Says Kenneth Schuster, a US Environmental Protection Agency scientist investigating Spring Valley: There is an indication of high incidence of cancer and rare blood diseases. Are they related to the buried munitions? We don't know, but I'm pushing for an epidemiological study.

"There a lot of unfinished business in Spring Valley."

TRIBUTE TO JUDGE AVIVA K.
BOBB

HON. HOWARD L. BERMAN

OF CALIFORNIA

HON. BRAD SHERMAN

OF CALIFORNIA

HON. HENRY A. WAXMAN

CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Mr. BERMAN. Mr. Speaker, we rise today to pay tribute to an exceptional individual and good friend, Judge Aviva K. Bobb, Supervising Judge of the Family Law Department of the Los Angeles County Superior Court. Judge Bobb will be honored on September 29, 2001 with the Levitt & Quinn Family Law Center Award for Outstanding Community Service.

Judge Bobb has served in the Los Angeles Superior Court since 1994. She previously served for 14 years in the Los Angeles Municipal Court where she was the presiding, assistant presiding, and supervising judge. Before appointment to the bench, she served as the Executive Director of the San Fernando Valley Neighborhood Association and as the Executive Director of the Legal Aid Foundation of Los Angeles. She is a graduate of Boalt Hall School of Law.

In 2000, she was named to her current post as Supervising Judge of the Family Law Department, where she has established a national reputation as an outstanding expert in how to address problems resulting from divorce and child custody questions.

In addition to her distinguished career on the bench, Judge Bobb is a member of the Judicial Council of California, where she served on the Court Technology Advisory Committee and the Task Force on Trial Court Employees. Judge Bobb has also generously given her time, energy and resources to numerous committees of the Los Angeles County Bar Association, and presently is a member of the

Family Law Section Executive Committee. She has been the chair of the California Judges Association Court Administration Committee and vice chairperson of the Judicial Council's Presiding Judges Advisory Committee. Her many contributions to our community include service on the Board of Directors of Bet Tzedek Legal Services, Public Counsel, the Western Center on Law and Poverty, and as a trustee of the Women Lawyers Association of Los Angeles.

Judge Bobb has been the recipient of the Boalt Hall Alumni Association Distinguished Service Award in 1994 and the Judicial Excellence Award of the National Council on Alcoholism of the San Fernando Valley in 1989. The Levitt & Quinn Family Law Center Award is a very special award because it is given only to those who have dedicated themselves to alleviating social problems within the community at the city, county or state level.

It is our distinct pleasure to ask our colleagues to join with us in saluting Judge Bobb for her outstanding achievements, and to congratulate her on receiving this prestigious award.

TRIBUTE TO JEAN RUNYON

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Mr. MATSUI. Mr. Speaker, I rise in tribute to Jean Runyon, the founder of Runyon Saltzman and Einhorn, Inc., one of the region's largest full-service advertising, public relations, public affairs and social marketing firms. Jean is the recipient of The Salvation Army's "Partners In Community Service" Award. As her friends and family gather to celebrate Jean's wonderful achievement, I ask all of my colleagues to join me in saluting one of Sacramento's most talented citizen leaders.

Jean first arrived in Sacramento in 1955 from her hometown of Berkeley, California where she enjoyed a hobby career as a stage actress. She devoted her time and energy to the Music Circus, planning theater parties. During her first year as the group's public relations chief, Jean helped Music Circus realize its first annual profit. As news spread of her outstanding talent for publicizing events, business owners approached her for advice on their own public relations projects.

In 1956, she founded Runyon and Associates. Focusing on a variety of advertising and public relations campaigns, Jean quickly and rightfully earned a reputation for delivering results. Within a few years, Jean became the first woman to be named "PR Man of the Year" by the Sacramento Public Relations Roundtable.

Today, Runyon Saltzman & Einhorn is one of Sacramento's top advertising agencies and is widely recognized for its creative work. In the early 90s, the agency branched into social marketing campaigns having put their efforts to work on behalf of a variety of environmental and public health issues. These campaigns communicated the importance of preserving clean air, avoiding tobacco, preventing teen pregnancy, stopping elder abuse and obtaining health insurance for children. The investment in this field paid off with proven results, as evidenced by national, regional and local industry recognition.

A number of nonprofit and community organizations have continued to recognize Jean for her tireless support and humanitarianism over the years. She has served on almost every major board in Sacramento, in addition to being the first female member of the Sutter Hospital Board of Trustees and the prestigious Downtown Rotary. Recently, she was honored with the naming of the Jean Runyon Little Theatre, celebrating that love for the performing arts, which later launched her career as a Sacramento public relations executive.

She has never forgotten the importance of donating time to her community. She has worked with dozens of charities and community nonprofit organizations, from such cultural institutions as the Crocker Art Museum, to groups like Make-A-Wish Foundation that help children, to organizations like The Salvation Army that help everyone. Jean's commitment to serving her community is truly an inspiration and example to her fellow citizens.

Mr. Speaker, as Ms. Jean Runyon's friends and family gather for the award ceremony, I am honored to pay tribute to one of Sacramento's most honorable citizens. Her successes are unparalleled, and it is a great honor for me to have the opportunity to pay tribute to her contributions. I ask all my colleagues to join with me in wishing my dear, dear friend Jean continued success in all her future endeavors.

CONGRATULATIONS TO MARY LAW ON HER RETIREMENT

HON. JOHN A. BOEHNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Mr. BOEHNER. Mr. Speaker, I rise today to express my gratitude to Mary C. Law, a great friend of mine who is retiring in a few weeks after serving my home county for two decades.

Mary began her career as Butler County Treasurer in September of 1981. Her twenty years of service to myself and my neighbors have been marked by too many accomplishments to name here. However, one of her most significant achievements while in office was to provide working mothers in her office with flex time and job-sharing to work around their children and children's schedules.

Aside from her great work as Treasurer, Mary has been an active supporter of many charitable organizations in the city of Hamilton and throughout all of Butler County. She is truly a great leader, both in office and throughout our community.

Mary always has been a great friend to me. She always has been willing to help me when I have needed it. I wish her a healthy and joyful retirement. Her services will be deeply missed, and she will be remembered as a dedicated and respected community leader.

BIPARTISAN PATIENT PROTECTION ACT

SPEECH OF

HON. JOSEPH CROWLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2001

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2563) to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to protect consumers in managed care plans and other health coverage:

Mr. CROWLEY. Mr. Chairman, I rise today to express my sadness over the bill before us today. Let me begin by saying that I am a cosponsor—once proud—of H.R. 2563, the Ganske-Dingell-Norwood Patient's Bill of Rights. When I signed onto this bill, this was a truly Bipartisan Patient Protection Act.

But there have been some changes. And the kicker? The kicker is that I, a cosponsor of this bill, was not told what those changes were. None of us were, not until the eleventh hour. I do know that this bill has been gutted. What I know, is that there have been back room deals and secret negotiations. As a result, what was once a good bill is now one I am extremely disappointed with. The process by which new provisions have been developed has been a deceptive one. We started with a very bipartisan process to develop workable language, but unfortunately, that process was hijacked. Instead, deals were made behind closed doors. Even when improvements were suggested that would improve the language, they were ignored. This process was a disgrace to the House and the American people, who would benefit far more from a bipartisan and open process.

The Patient's Bill of Rights I put my name on, is now the Providers Bill of Rights. The patient's Bill of Rights that we had yesterday would have ensured that patients come first—not HMO profits or health plan bureaucrats. The Providers Bill of Rights we have before us today, fought for by the other party, strips these provisions and makes sure a calculator, not caring physicians and concerned families retain control over medical decisions.

Our bill allowed doctors to make the decisions about what is medically necessary and not an HMO bean counter. It gave patients access to information about all available treatments and not just the cheapest. Can someone from the other side please explain why that's so bad? Will they please come to my district and explain it to the working families in my hometown why this is not a good idea? And while you're at it, could you explain it to me too? Because I don't understand. I don't understand why requiring HMOs to provide access to emergency care or specialists, or direct access for women to an OB-GYN, or giving a patient a chance to try an innovative new treatment that could save their life—I don't understand why these are not rights that the other side of the aisle thinks all Americans in all health plans should have. I don't understand why Republicans in this House are opposed to putting health decisions back in human hands where they belong.

Perhaps the most frustrating part of this debate has been the horrible and unconscionable scare tactics. Not a day has gone by in